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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

2:19-cr-00269-JCM-EJY

Plaintiff,

**Stipulation to Continue
Sentencing and
PSR-Objection Deadline
(THIRD Request)**

vs.

BYRON PORTER,

Defendants.

It is hereby stipulated and agreed, by and between CHRISTOPHER CHIOU, Acting United States Attorney, through DANIEL E. CLARKSON, Assistant United States Attorney, and WILLIAM BROWN, counsel for defendant Byron Joshua Jarell Porter, that:

- (1) Byron Porter's sentencing date in the above-captioned matter, currently scheduled for October 29, 2021, at 10:00 a.m., be vacated and continued at least ninety (90) days, to January 31, 2022, or to a time convenient to the Court; and
- (2) the LCR 32-1(b) deadline to submit informal objections to the presentence investigation report (PSR) shall be continued at least sixty (60) days, up to and including December 29, 2021.

1 This Stipulation is entered into for the following reasons:

2 1. This is the third requested continuance for sentencing.

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4 2. The defense is currently investigating sentencing issues and

5 gathering relevant information from multiple sources, including attempting

6 to obtain medical records and other documents from third parties.

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8 3. The defense requires further time to complete its investigation, to

9 gather relevant information, and, once obtained, to analyze and synthesize

10 the information so that it may be appropriately presented to the Court in a

11 sentencing memorandum.

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13 4. Also, Mr. Porter has recently undergone neuropsychological

14 testing and evaluation.

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16 5. The defense may likely seek to have some of the relevant

17 information from the testing and evaluation added to and incorporated in the

18 PSR.

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20 6. The defense has discussed this with the PSR's author, who does

21 not object to considering subsequent requests to supplement the PSR with

22 relevant information.

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24 7. The defendant is in custody and does not object to the requested

25 continuances of the sentencing date or the PSR-objection deadline.

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2 8. The government does not object to continuing either date.

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4 Date: September 15, 2021

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6 Counsel for BYRON PORTER

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8 /s/ William Brown
WILLIAM H. BROWN
BROWN MISHLER, PLLC

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CHRISTOPHER CHIOU
Acting United States Attorney

/s/ Daniel E. Clarkson
DANIEL E. CLARKSON
Assistant United States Attorney

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11 UNITED STATES DISTRICT COURT
12 DISTRICT OF NEVADA

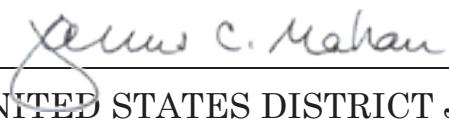
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13 UNITED STATES OF AMERICA,
14 Plaintiff,
15 vs.
16 BYRON PORTER,
17 Defendants.

12 2:19-cr-00269-JCM-EJY

13 **Order Continuing Sentencing
14 and
15 PSR-Objection Deadline**

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18 Based on the pending stipulation of counsel, and good cause appearing
19 therefore, the Court hereby: (1) vacates the current sentencing date of
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21 October 29, 2021, at 10:00 a.m., and continues it to February 11, 2022
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23 at 10:00 A.M.; and (2) extends the LCR 32-1(b) deadline to submit informal
24 objections to the presentence investigation report (PSR), to January 7, 2022.

25 DATED September 15, 2021.

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28 UNITED STATES DISTRICT JUDGE